

Senate File 2176 - Introduced

SENATE FILE 2176

BY GUTH

A BILL FOR

1 An Act restricting the movement of dogs and cats into this
2 state by certain persons regulated by the department of
3 agriculture and land stewardship, and including penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 162.2, Code 2016, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 2A. "*Animal foster care*" means a person who
4 operates a private residence that provides a dog or cat with
5 temporary maintenance, including shelter and care, if the dog
6 or cat has been accepted by a person who is an animal rescue
7 or licensed as an animal shelter or pound under this chapter,
8 if that person is authorized by the department to oversee the
9 operations of the private residence.

10 NEW SUBSECTION. 2B. "*Animal rescue*" means a person who is
11 recognized by the department to retain custody of a dog or cat
12 on a temporary basis until doing any of the following:

13 a. Transferring the dog or cat to an animal shelter, pound,
14 or another animal rescue.

15 b. Relinquishing custody of the dog or cat by sale to a
16 member of the public.

17 Sec. 2. NEW SECTION. 162.10 Movement of dogs and cats from
18 outside state.

19 1. A person who is an animal rescue or animal foster care
20 recognized by the department, or a person who is a commercial
21 establishment operating as an animal shelter, dealer, pet
22 store, or pound shall move a dog or cat, or take possession
23 of a dog or cat that has been moved, from a location outside
24 this state to a location inside this state only if all of the
25 following apply:

26 a. Upon entering into the state, the dog or cat was kept
27 in a secure location approved by the department for at least
28 fourteen days and it was determined according to departmental
29 criteria that the dog or cat is not afflicted with an
30 infectious or contagious disease or parasites.

31 b. For a dog that is four months of age or older, the dog
32 has been administered with a rabies vaccine, and all of the
33 following apply:

34 (1) The vaccine is licensed by the United States department
35 of agriculture and approved by the department of agriculture

1 and land stewardship.

2 (2) The vaccination is current.

3 c. The dog or cat is accompanied by a certificate of
4 veterinary inspection that includes a completed form based on
5 the United States interstate and international certificate of
6 health examination for small animals as provided in 9 C.F.R
7 §2.78 and any additional information required by the department
8 and that at least specifies all of the following:

9 (1) A statement that the dog or cat is not afflicted with
10 a contagious or infectious disease or with parasites and the
11 dog or cat has not been exposed to a vertebrate animal that has
12 been so afflicted.

13 (2) A statement that the dog or cat has not been moved from
14 an area that is quarantined for rabies by a governmental entity
15 recognized by the department.

16 (3) A record of each vaccine administered to the dog or cat.
17 The record shall do all of the following:

18 (a) Indicate the type of vaccine administered and the date
19 when the vaccine was administered.

20 (b) Provide an identification number that allows the
21 department to determine the place where the vaccine was
22 administered.

23 d. The person must retain the certificate for at least two
24 years from the date that the person took possession of the dog
25 or cat.

26 2. This section does not apply to a person who exercised
27 custody and control over a dog or cat in this state prior
28 to moving the dog or cat outside this state and who did not
29 relinquish custody and control of the dog or cat while outside
30 the state.

31 3. The department may take disciplinary action against a
32 commercial establishment acting in violation of this section
33 as provided in section 162.10D.

34 Sec. 3. Section 162.12A, subsection 1, Code 2016, is amended
35 by adding the following new paragraph:

1 NEW PARAGRAPH. c. Notwithstanding paragraph "a", a person
2 who fails to comply with section 162.10 is subject to a civil
3 penalty of not less than one thousand dollars and not more than
4 five thousand dollars.

5	EXPLANATION
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6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill provides that certain persons regulated by the
9 department of agriculture and land stewardship are required
10 to comply with requirements for moving dogs or cats from a
11 location outside this state to a location inside this state.
12 These persons include an animal rescue or animal foster care
13 recognized by the department, or a commercial establishment
14 operating as an animal shelter, dealer, pet store, or pound
15 operating pursuant to an authorization issued by the department
16 such as a certificate of registration, state license, or
17 permit.

18 The bill requires all of the following: (1) a dog or cat
19 be kept in a secure location to determine if it is afflicted
20 with an infectious or contagious disease or parasites prior to
21 moving in this state, and (2) a dog at least four months of
22 age has been administered a current rabies vaccination. A dog
23 or cat must also be accompanied by a certificate of veterinary
24 inspection based on form 7001 promulgated by the animal and
25 plant health inspection service of the United State department
26 of agriculture and other information concerning the veterinary
27 history of the animal. The bill's restrictions do not apply
28 to persons who exercised custody and control of a dog or cat in
29 this state prior to its movement out of state so long as the
30 person did not relinquish control or custody of the dog or cat
31 during its movement.

32 The bill provides that the department may take disciplinary
33 action against an animal shelter, dealer, pet store, or pound
34 by suspending or revoking its authorization to operate in this
35 state. An animal rescue, animal foster care, animal shelter,

1 dealer, pet store, or pound that fails to comply with the
2 bill's provisions is also subject to a civil penalty of at
3 least \$1,000 and not more than \$5,000.